

REMARKS

In the Official Action dated 19 February 2003 claims 4, 6-8 and 10-13 were withdrawn from consideration and claims 1-3, 5, 9 and 14-16 were rejected.

New claims 27, 28, 29, 30, 31, 32, 33, 34 correspond to original claims 4; 6-8 and 10-13 which were withdrawn from consideration.

Claims 35 and 36 are the same wording as original claims 14 and 15.

This second supplemental amendment of the claims corrects several errors in the presentation of claims in the previous amendment and is believed to more adequately define applicants invention over the cited art.

In the walking exercise machine of Rodgers, U.S. 5,989,163, a rearward stride of one foot pedal moves the other foot pedal forward the same distance as the stride of the one foot because the speed of movement of the foot pedals in their opposite directions are the same. When a shorter stride is taken by one foot on the Rodgers machine the pedal for the other foot will not move to the same forward step down location as the previous step. In exercising with applicants machine the pedals always return to the same forward step down position regardless of the length of the strides.

At the end of a stride, and regardless of the length thereof and independently of any subsequent stride, the rear foot pedal moves forward to a consistent step down position which is necessary for in-place walking, jogging and running. Rodgers can not function in such a manner.

Independent claim 22 defines "means for returning said foot pedals to said forward step-down position at the end of each stride", thus clearly defining applicants invention over Rodgers.

New independent claim 41 defines "means returning said foot pedals to said forward step-down position at the end of each stride at velocities substantially greater than stride velocity" thus distinguishing over Rodgers whose pedals move in opposite directions at the same speed.

Reconsideration and allowance are respectfully requested.

Respectfully submitted,



Charles L. Schwab

Attorney for Applicant

Registration No. 17,497

NEXSEN PRUET JACOBS & POLLARD, LLC

Post Office Box 10107

Greenville, SC 29603

Telephone: (864) 370-2211

Facsimile: (864) 282-1177

1 August 2003